

REMARKS

The title of the application has been amended to recognize that all the claims currently in this application are directed to a process. As such, the amended title of the application is directed to the subject matter of the invention of the present application.

All the claims submitted for examination in this application have been rejected on formal grounds. Applicants have amended their claims and respectfully submit that all the claims currently in this application are patentable over the rejection of record.

The sole formal ground of rejection imposed in the outstanding Official Action is directed to all the claims currently in this application, Claims 1, 3-22 and 40-45. These claims stand rejected, under 35 U.S.C. §112, first paragraph, as containing subject matter which is not described in the specification in such a way as to reasonably convey to one skilled in the art, at the time the application was filed, that the inventor had possession of the claimed invention.

The specific reason for the imposition of this ground of rejection in the outstanding Official Action is that the recitation in Claim 1 “a liquid containing dissolved xylitol at a concentration of 30 – 80% by weight” is too broad. This is so insofar as the originally filed specification provides support for this limitation only when the liquid is an aqueous solution.

Applicants have amended their claims to limit the liquid to an aqueous solution and thus respectfully submit that the amended claims overcome the outstanding formal ground of rejection. As amended, Claim 1, redrafted as new Claim 57, with Claim 1 being cancelled, limits the liquid therein to an aqueous solution of xylitol having a xylitol concentration of between about 30% and about 80% by weight. As such, new independent Claim 57 is fully supported by the specification, as conceded in the outstanding Official Action.

The restriction of the claims to an aqueous solution has prompted the amendment of Claim 1, as new Claim 57, as well as Claims 7, 8 and 42 to recite a water solvent. Support for this amendment in the originally filed specification is found at Page 7, lines 25-29.

The dependent claims have all been amended to conform to the amendment made to original independent Claim 1, e.g. new Claim 57. That is, wherever a dependent claim originally referred to a liquid the language of that dependent claim has been amended to recite an aqueous solution. Applicants therefore aver that the amended claims currently in this application are patentable not only under 35 U.S.C. §112, first paragraph but, based on the proper antecedent basis provided by the instant amendment, under 35 U.S.C. §112, second paragraph as well.

It is also noted that several of the dependent claims have been amended to remove language which may be deemed indefinite or grammatically incorrect. Applicants state that none of the amendments made to the dependent claims affect their scope and thus remain patentable over the prior art.

The above amendment and remarks establish the patentable nature of all the claims currently in this application. Notice of Allowance and passage to issue of these claims,

Claims 3-22, 40-45 and 57, is respectfully solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Marvin Bressler", with a long horizontal flourish extending to the right.

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